

Public Health Service, HHS

§ 110.2

- 110.52 Documentation a survivor must submit for the Secretary to make a determination of eligibility for death benefits.
- 110.53 Documentation the executor or administrator of the estate of a deceased injured countermeasure recipient must submit for the Secretary to make a determination of eligibility for benefits to the estate.

Subpart G—Documentation Required for the Secretary To Determine Program Benefits

- 110.60 Documentation a requester who is determined to be eligible must submit for the Secretary to make a determination of medical benefits.
- 110.61 Documentation a requester who is determined to be eligible must submit for the Secretary to make a determination of lost employment income benefits.
- 110.62 Documentation a requester who is determined to be an eligible survivor must submit for the Secretary to make a determination of death benefits.
- 110.63 Documentation a legal or personal representative must submit when filing on behalf of a minor or on behalf of an adult who lacks legal capacity to receive payment of benefits.

Subpart H—Secretarial Determinations

- 110.70 Determinations the Secretary must make before benefits can be paid.
- 110.71 Insufficient documentation for eligibility and benefits determinations.
- 110.72 Sufficient documentation for eligibility and benefits determinations.
- 110.73 Approval of benefits.
- 110.74 Disapproval of benefits.

Subpart I—Calculation and Payment of Benefits

- 110.80 Calculation of medical benefits.
- 110.81 Calculation of benefits for lost employment income.
- 110.82 Calculation of death benefits.
- 110.83 Payment of all benefits.
- 110.84 The Secretary's right to recover benefits paid under this Program from third-party payers.

Subpart J—Reconsideration of the Secretary's Determinations

- 110.90 Reconsideration of the Secretary's eligibility and benefits determinations.
- 110.91 Secretary's review authority.
- 110.92 No additional judicial or administrative review of determinations made under this part.

Subpart K—Covered Countermeasures Injury Tables

110.100 Injury Tables.

AUTHORITY: 42 U.S.C. 247d-6e.

SOURCE: 75 FR 63675, Oct. 15, 2010, unless otherwise noted.

Subpart A—General Provisions

§ 110.1 Purpose.

This part implements the Public Readiness and Emergency Preparedness Act (PREP Act), which amended the Public Health Service Act (herein after “PHS Act” or “the Act”) by including section 319F-3, and section 319F-4 entitled “Covered Countermeasure Process.” Section 319F-4 of the PHS Act directs the Secretary of Health and Human Services, following issuance of a declaration under section 319F-3(b), to establish procedures for the Countermeasures Injury Compensation Program (herein after “CICP” or “the Program”) to provide medical and lost employment income benefits to certain individuals who sustained a covered injury as the direct result of the administration or use of a covered countermeasure consistent with a declaration issued pursuant to section 319F-3(b), or in the good faith belief that administration or use of the covered countermeasure was consistent with a declaration. Also, if the Secretary determines that an individual died as a direct result of a covered injury, the Act provides for certain survivors of that individual to receive death benefits.

§ 110.2 Summary of available benefits.

(a) The Act authorizes three forms of benefits to, or on behalf of, requesters determined to be eligible by the Secretary:

(1) Payment or reimbursement for reasonable and necessary medical services and items to diagnose or treat a covered injury, or to diagnose, treat, or prevent its health complications, as described in § 110.31.

(2) Lost employment income incurred as a result of a covered injury, as described in § 110.32.

(3) Death benefits to certain survivors if the Secretary determines that